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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,662	11/13/2003	Lawrence Page	GOOGP005	9861
23689	7590	06/22/2007	EXAMINER	
Jung-hua Kuo Attorney At Law PO Box 3275 Los Altos, CA 94024			DURNFORD GESZVAIN, DILLON	
			ART UNIT	PAPER NUMBER
			2622	
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			06/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/713,662

Applicant(s)

PAGE ET AL.

Examiner

Dillon Durnford-Geszvain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1-5, 7, 9, 11-15, 17 and 19** are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,777,660 (Ard).

As to claim 1, Ard teaches an imaging system for imaging a bound document, comprising:

a support (comprising 40 and 42, see Fig. 1) for holding an open bound document thereon, the bound document having two opposing sides generally facing away from the support (see Fig. 1);

a first camera 140 (see Fig. 5) positioned to capture an image of a first opposing side of the bound document (see Fig. 1), the first camera having an image capture size approximately the size of the first opposing side (note that this limitation is given little weight as it is not made clear how close the size would have to be for it to be approximately the size of the side), the first camera being configured to store the captured image of the first opposing side (not disclosed but necessary as the document is being scanned); and

a second camera 142 positioned to capture an image of a second opposing side of the bound document, the second camera having an image capture size

approximately the size of the second opposing side (note that this limitation is given little weight as it is not made clear how close the size would have to be for it to be approximately the size of the side), the second camera being configured to store the captured image of the second opposing side (not disclosed but necessary as the document is being scanned).

As to claim 2, see the rejection of claim 1 and note that Ard further teaches that the imaging system of claim 1, further comprising a controller for controlling the image capturing by the cameras (Column 3 lines 57-59).

As to claim 3, see the rejection of claim 1 and note that Ard further teaches the imaging system of claim 1, further comprising: a first flash 132 associated with the first camera for selectively lighting the first opposing side simultaneous with the first camera 140 capturing the image of the first opposing side (see Fig. 5); and

a second flash associated with the second camera for selectively lighting the first opposing side simultaneous with the second camera 142 capturing the image of the second opposing side (see Fig. 5).

As to claim 4, see the rejection of claim 1 and note that Ard further teaches the imaging system of claim 1, further comprising a light absorbing page (120 and 122) being positioned between the first opposing side and the second opposing side (see Fig. 5 and note that all materials absorb at least some light).

As to claim 5, see the rejection of claim 4 and note that Ard further teaches the imaging system of claim 4, further comprising a positioner (not shown but the mechanism that moves head 12) for positioning the light absorbing page (120 and 122), the positioner having a first position for positioning the light-absorbing page over the first opposing side and a second position for positioning the light-absorbing page over the second opposing side (see Fig. 5 and note that the first and second positions are offset by what appears to be an acute angle).

As to claim 7, see the rejection of claim 1 and note that Ard further teaches the imaging system of claim 1, wherein the cameras are high definition cameras (note that this is a term of degree and it is not clear from the claims what the cut-off is for a camera being considered high definition, but for example, see Column 4 lines 46 to 67 of Ard).

As to claim 9, see the rejection of claim 1 and note that Ard does not teach specifically that captured images are transferred from each camera to a memory device it is inherent for the cameras to store the captured images in a memory device as if the images were not stored on a memory device the device would be useless for scanning books as it would simply capture images of successive pages and then destroy said image when a next picture is taken. Note further that the use of "high speed data interface" is given little weight as the claim does not delineate what is and is not high

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speed.

Claims **11-15, 17** and **19** are method claims that correspond to the apparatus claims **1-5, 7** and **9** and are therefore rejected on the same grounds as claims **1-5, 7** and **9** but drawn to a method instead of an apparatus.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **6** and **16** are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,777,660 (Ard) in view of US 6,491,278 (Thomsen).

As to claim **6**, see the rejection of claim **1** and note that Ard does not explicitly teach that the bound document is tilted at an angle toward an operator. However Thomsen teaches a support for a notebook that is tilted at an angle towards a user because this provides for more friendly access by a user (see Fig. 1). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have tilted the open bound document towards an operator as this allows for more friendly access by an operator (Column 2 lines 65-67).

Claim **16** is a method claim that corresponds to the apparatus of claim **6** and is

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therefore rejected on the same grounds as claim **6** but drawn to a method instead of an apparatus.

5. Claims **8** and **18** are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,777,660 (Ard) in view of US 2,406,152 (Levine).

As to claim **8**, see the rejection of claim **1** and note that although Ard teaches an operator handle 90 with the scan button on located thereon it is not taught that the scan button can be a foot pedal. However, Levine teaches a camera that operates with a foot pedal because the operator's hands are otherwise occupied (see Fig. 1 and Column 4 lines 39-59). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the placed the scan button on a foot pedal as this would free the hands to perform other tasks.

Claim **18** is a method claim that corresponds to the apparatus of claim **8** and is therefore rejected on the same grounds as claim **8** but drawn to a method instead of an apparatus.

6. Claims **10** and **20** are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,777,660 (Ard) in view of the Examiners Official Notice.

As to claim **10**, see the rejection of claim **1** and note that Ard does not teach that the cameras contain memory cards.

However, the Examiner takes Official Notice that it was old and well known at the

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time the invention was made to provide a flash memory card in a camera and to provide other flash memory cards that can be used if the first cards become full. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the first and second cameras of Ard with flash memory devices for storing the captured images and provided additional memory cards for swapping if the first cards became full as this provides a cost effective method of storing captured images.

Claim **20** is a method claim that corresponds to the apparatus of claim **10** and is therefore rejected on the same grounds as claim **10** but drawn to a method instead of an apparatus.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,640,252 (Turner et al.). US 6,493,469 (Taylor et al.). US 5,636,006 (Wu). US 6,762,862 (Lam et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon Durnford-Geszvain whose telephone number is (571) 272-2829. The examiner can normally be reached on Monday through Friday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone



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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dillon Durnford-Geszvain

6/15/2007

/John M. Villecco/  
Primary Examiner, Art Unit 2622  
June 18, 2007